

Epstein Drangel Bazerman&James LLP

X/11

RECEIVED
CENTRAL FAX CENTER

SEP 20 2004

60 East 42nd Street, Suite 820, New York, NY 10165 - Phone: (212) 292-5390 - Fax: (212) 292-5391 E-mail: mail@ipcounselors.com

FACSIMILE TRANSMITTAL COVER SHEET

September 20, 2004

To: OFFICE OF PETITIONS

Application No.: 09/785,270

Telecopier No.: 1-703-308 6916

Address: Mail Stop: Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

From: Dermot M. Sheridan

Our Fax No.: (212) 292-5391

Our Phone No.: (212) 292-5390

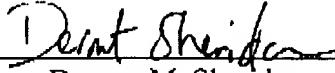
Message:

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office (Fax No. (703) 308 6916) on September 20, 2004.

The documents included in this transmission are as follows:

1. Transmittal Form;
2. Fee Transmittal Form;
3. Credit card payment form (PTO-2038) in the amount of \$665.00;
4. Petition to Revive - unintentional abandonment;
5. Power of Attorney and Statement under 37 CFR 3.73(b);
6. Response to Office Action - amended claims and remarks - five (5) sheets



Dermot M. Sheridan

12 page(s) to follow

Attorney Docket No.: 1494-006US

The information contained in this facsimile message is attorney-client privileged and confidential information only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service. Thank you.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

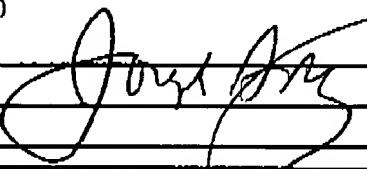
(to be used for all correspondence after initial filing)

		Application Number	09/785,270
		Filing Date	02/20/2001
		First Named Inventor	Prache, et al.
		Art Unit	2673
		Examiner Name	SAID, Mansour M.
Total Number of Pages in This Submission	12	Attorney Docket Number	1494-006US

ENCLOSURES (Check all that apply)

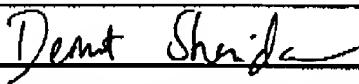
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Statement under 37 CFR 3.73(b)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Joseph F. Murphy (36,617)
Signature	
Date	09/20/2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Dermot M. Sheridan		
Signature		Date	09/20/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 665.00)

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None

Deposit Account:

Deposit Account Number	
Deposit Account Name	

The Director is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

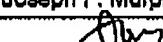
Total Claims	Extra Claims	Fee from below	Fee Paid
Independent	-20**	= <input type="text"/>	X <input type="text"/>
Claims	-3**	= <input type="text"/>	X <input type="text"/>
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 66	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 66	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0)

*or number previously paid, if greater. For Reissues, see above

Complete if Known	
Application Number	09/785,270
Filing Date	02/20/2001
First Named Inventor	Olivier F. Prache
Examiner Name	Said, Mansour M.
Art Unit	2673
Attorney Docket No.	1494-006US

FEE CALCULATION (continued)					
3. ADDITIONAL FEES	Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
			1051 130	2051 85	Surcharge - late filing fee or oath
			1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet
			1053 130	1053 130	Non-English specification
			1812 2,520	1812 2,520	For filing a request for ex parte reexamination
			1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action
			1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action
			1251 110	2251 55	Extension for reply within first month
			1252 420	2252 210	Extension for reply within second month
			1253 950	2253 475	Extension for reply within third month
			1254 1,480	2254 740	Extension for reply within fourth month
			1255 2,010	2255 1,005	Extension for reply within fifth month
			1401 330	2401 165	Notice of Appeal
			1402 330	2402 165	Filing a brief in support of an appeal
			1403 290	2403 145	Request for oral hearing
			1451 1,510	1451 1,510	Petition to institute a public use proceeding
			1452 110	2452 55	Petition to revive - unavoidable
			1453 1,330	2453 665	Petition to revive - unintentional
			1501 1,330	2501 665	Utility issue fee (or reissue)
			1502 480	2502 240	Design issue fee
			1503 640	2503 320	Plant issue fee
			1460 130	1460 130	Petitions to the Commissioner
			1807 50	1807 50	Processing fee under 37 CFR 1.17(q)
			1808 180	1808 180	Submission of Information Disclosure Stmt
			8021 40	8021 40	Recording each patent assignment per property (times number of properties)
			1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))
			1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))
			1801 770	2801 385	Request for Continued Examination (RCE)
			1802 900	1802 900	Request for expedited examination of a design application
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$ 665.00)					

SUBMITTED BY		(Complete if applicable)	
Name (Print/Type)	Joseph F. Murphy	Registration No. /Attorney/Agent	36,617 Telephone 212-2925390
Signature		Date	09/20/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.